

KEVIN V. RYAN (CSBN 118321)
United States Attorney

MARK L. KROTOSKI (CSBN 138549)
Chief, Criminal Division

150 Almaden Avenue, Suite 900
San Jose, California 95113
Telephone: (408) 535-5035
FAX: (408) 535-5081
E-Mail: Mark.Krotoski@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E-FILED - 10/17/06

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHIRAYU PATEL,
aka nebula, aka nebwrk, aka aluben,
aka notneb, aka aluben,

Defendant.

No. CR 05-00445-RMW

STIPULATION TO CONTINUE
SENTENCING HEARING AND
ORDER

It is hereby stipulated and agreed between defendant Chirayu Patel, by and through his counsel of record, Jessie Garcia, Esq., and the United States, by and through Assistant United States Attorney Mark L. Krotoski, as follows:

1. This matter is presently set for a sentencing hearing on November 13, 2006 at 9:00 a.m.
2. The parties agree that further time is needed to address sentencing issues and that the terms of the plea agreement continue to apply.
3. For the foregoing reasons, and that the ends of justice are served by continuing this case, the parties stipulate and request to a continuance of the sentencing hearing from November 13, 2006 at 9:00 a.m. to February 5, 2007 at 9:00 a.m., or the next available date.

1 IT IS SO STIPULATED.

2 Dated: October 5, 2006

KEVIN V. RYAN
United States Attorney

3
4 /s/

5 MARK L. KROTOSKI
Assistant United States Attorney

6 Dated: October 5, 2006

7 /s/

8 JESSE GARCIA
Attorney for defendant Patel

9 IT IS SO ORDERED.

10 Upon good cause shown, the sentencing hearing is continued from November 13, 2006 at
11 9:00 a.m. to February 5, 2007 at 9:00 a.m.

12
13 Dated: October 17, 2006

14 /s/ Ronald M. Whyte
15 RONALD M. WHYTE
United States District Judge

16 Distribute To:

17 Jesse J. Garcia
18 Garcia, Schnayerson & Mockus
225 West Winton
19 Suite 208
Hayward, CA 94544-1219
20 FAX: (510) 782-7580

21 Mark L. Krotoski
AUSA
22 150 Almaden Boulevard, Suite 900
San Jose, CA 95113

23 Joshua Sparks
24 U.S. Probation Officer
280 South First Street
25 San Jose, CA 95113